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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,317	10/18/2001	Arnab Das	129250-002120/US	6605
32498 7590 03/17/2008 CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC P.O. BOX 1995 VIENNA, VA 22183				
EXAMINER				
MERED, HABTE				
ART UNIT		PAPER NUMBER		
2616				
MAIL DATE		DELIVERY MODE		
03/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation Sheet (PTO-303)

1. On Cursory consideration the request for consideration, will be entered upon appeal, and further the request for reconsideration does not overcome the art rejections presented in the Final Office Action.

Response to Arguments

2. Applicant's arguments filed on 1/28/2008 have been fully considered but they are not persuasive.

3. Applicant argues with respect to claim 1 in the Remarks in Section A in the third paragraph of page 5, that the claimed limitation that requires "transmitting a separate control channel for each transmission" is not addressed by Odenwalder, which is the secondary reference. Applicant further state that Odenwalder does not disclose separate control channels for each transmission.

Examiner respectfully disagrees with Applicant's conclusion. In the Final Office Action mailed on 11/27/07 Examiner indicated on page 3 that Odenwalder teaches the limitation in question in Column 5:60-67. Applicant argued that Examiner's citing of Odenwalder Column 5:60-67 only teaches associating control channel with data channel and does not disclose a separate control channel for each transmission. A close review of Odenwalder's Column 5:60-67 indeed shows a separate control channel for each transmission. Specifically, Odenwalder in Columns 5:64-67 and 6:1-9 clearly

states that each data transmission on the forward packet data channel uses two separate control channels, namely primary data control channel and secondary data control channel. Hence, Odenwalder adequately teaches the limitation requiring separate control channel for each transmission.

It should be noted that the limitation in claim 1 does not necessarily require the control channel used for the first transmission be different from the control channel used for the next transmission. The limitation in claim 1 only requires that each transmission use a separate control channel and Odenwalder's teaches each transmission uses a separate control channel where the secondary control channel is separate from the primary control channel.

It should also be noted that the primary reference, Terry, does indeed teach use of control channel for each transmission as shown in Columns 3:19-30 and 6:51-62.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HABTE MERED whose telephone number is (571)272-6046. The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on 571 272 7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

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Habte Mered
Examiner
Art Unit 2616

HM
02-29-08

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2625